

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

and

QUENTON BORRESON,

Plaintiff in Intervention,

v.

PACIFIC COMMERCIAL EQUIPMENT,
INC., d/b/a AERO CONSTRUCTION,

Defendant.

No. C04-940Z

ORDER

The Court GRANTS IN PART and DENIES IN PART Plaintiff Borreson's Motion to Compel, docket no. 55, joined by Plaintiff EEOC, docket no. 61, as follows:

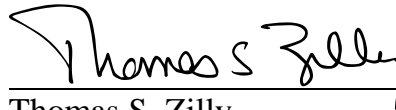
- 1) The Court DENIES the Plaintiffs' request regarding the Defendant's back-up e-mail files. The Defendant has made clear that no e-mail responsive to the Plaintiffs' requests exists.
- 2) The Court GRANTS the Plaintiffs' request regarding information about the Defendant's new hires. The Court ORDERS the Defendant to produce: 1) a list of employees hired in July - August 2002 and November - December 2002,

1 by name, date of hire, the construction project they worked at, and the
2 equipment they worked on for each day of July, August, November and
3 December 2002; and 2) the time cards from all jobs where these workers
4 worked during these periods.

- 5 3) The Court GRANTS the Plaintiffs' request regarding prior claims of
6 discrimination and retaliation against the Defendant. The Court ORDERS the
7 Defendant to produce any documents regarding former complaints of
8 discrimination and/or retaliation against the Defendant within its control,
9 including non-privileged documents held by its former counsel, for the period
10 January 1, 1999 through December 31, 2003.
- 11 4) The Court GRANTS IN PART the Plaintiffs' request regarding reconvening
12 the deposition of Cathie Weiss. The Court ORDERS the Defendant to produce
13 Ms. Weiss for an additional four-hour deposition to discuss the Defendant's
14 new hires and their job duties as well as any newly disclosed complaints of
15 discrimination or retaliation against the Defendant

16 IT IS SO ORDERED.

17 DATED this 16th day of May, 2005.

18
19 
20 Thomas S. Zilly
21 United States District Judge
22
23
24
25
26